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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER	
DANG, HUNG Q	

ART UNIT	PAPER NUMBER
2621	

NOTIFICATION DATE	DELIVERY MODE
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

Office Action Summary	Application No.	Applicant(s)	
	10/798,395	CHU, SANDY	
	Examiner	Art Unit	
	Hung Q. Dang	2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *28 November 2007*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-17 and 19-20* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-17,19 and 20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *12 March 2004* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

Applicant's arguments filed 11/28/2007 have been fully considered.

At pages 9-10, regarding Applicant's arguments with respect to Their et al., the Examiner has corrected the citation to be at column 15, lines 45-49 as described in details below. For that reason, this Office Action is made non-final.

Other arguments made by Applicant are found not persuasive.

At page 9, regarding claim 1, Applicant argues that Sakai et al. do not disclose the limitation of "dividing said multimedia clip according to said specific time stamp". In response, the Examiner respectfully disagrees. Sakai et al. disclose that users can assign the cuts by setting in-points and out-points in [0057], [0058], and [0062]. These in-points and out-points are time-stamps as described in [0025]. Using these cuts, segments of the multimedia a, b, d, and those used to create segments of X1 and X2 as shown in Figs. 4. Thus, Sakai et al. obviously disclose the limitation of "dividing said multimedia clip according to said specific time stamp".

Also regarding claim 1, Applicant further argues that there is no description in Sakai et al. regarding an overlap being formed between a first extended video clip and a second extended video clip. Instead, Applicant argues, the video data in Sakai et al. can be merged together. In response, the Examiner respectfully disagrees. As shown in Figs. 4 of Sakai et al., the effect of merging is performed inside a duration T that results in, for example, segments X1 and X2. Obviously, there is an overlap of a portion of A and a portion of B shown in Fig. 4A. At any time point in these segments, there are two

video materials that are used: one taken from A and one taken from B. They are put together and overlapped.

Regarding Applicant's arguments with respect to "memory use" or "without memory use". The Examiner respectfully submits that, these limitations are not present in the claim. Thus, the argument is irrelevant.

At page 10, regarding Windle, Applicant argues that, "the video frame is duplicated ..." but not for "extending a video clip". In response, the Examiner respectfully disagrees because when a frame of the video clip is duplicated to meet a duration for synchronizing with an audio track, the video clip is extended. For example, according to Windle's teachings, if the video clip with 9 seconds of duration and the audio track with 10 seconds of duration are to be synchronized, frames of the video clip are duplicated to make it 10 seconds long; thus, extending the video clip.

Also at page 10, regarding Peters et al., the Applicant argues that, Peters et al. fail to teach or suggest "the best size of the first extended video clip and the second extended video clip being respectively half of the effect duration." In response, the Examiner respectfully disagrees. At column 1, lines 40-45, Peters states, "video editing and composition also allow for the creation of transitions. In these systems, it is known to specify a gradual transition by its centerpoint. By center point is meant the point in time within the transition half way between the beginning and end the transition." Obviously, Peters describes an effect duration of "gradual transition" by center-point, which divides the transition period into two halves, one is the first video and one the second video as described earlier at column 1, lines 36-39. There must be a reason for

choosing the first and second video to have this size. Whatever the reason is, it is the best option at least to the designers because it meets at least some of their purposes and goals such as for simplicity, for example.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-2 and 11-12 are rejected under 35 U.S.C. 102(b) as being anticipated by Sakai et al. (US 2003/0012550).

Regarding claim 1, Sakai et al. disclose a method for effect addition within a single multimedia clip (Fig. 4A; [0046]; [0049]), comprising: importing a multimedia clip into a first data track ([0061]), said multimedia clip including a video clip and an audio clip ([0056]; [0057]); assigning a specific time stamp and an effect duration ([0061]; [0025]; Fig. 3; Fig. 4), said specific time stamp being within the effect duration ([0061]); dividing said multimedia clip according to said specific time stamp ([0062]; Fig. 4), wherein said video clip is divided into a first video clip before said specific time stamp and a second video clip after said specific time stamp (Fig. 4; [0062]; [0063]); moving said second video clip to a second data track, wherein the beginning of said second video clip being at the specific time stamp in said second data track ([0062]; [0063]); generating a first extended video clip and a second extended video clip to form an overlap according to said effect duration ([0064]), wherein said overlap being between

said first extended video clip extended backward from the end of said first video clip and said second extended video clip extended forward from the beginning of said second video clip; and performing an effect addition, wherein said effect addition adding an effect within said overlap ([0064]; Fig. 4).

Regarding claim 2, Sakai et al. also disclose said audio clip is divided into a first audio clip and a second audio clip when said video clip is divided, and said second audio clip is moved to said second data track when said second video clip is moved ([0056]; [0057]; [0075]; [0076]).

Claim 11 is rejected for the same reason as discussed in claim 1 above.

Claim 12 is rejected for the same reason as discussed in claim 2 above.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 3, 4, 13, and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sakai et al. (US 2003/0012550) as applied to claims 1-2 and 11-12 above, and further in view of Thier et al. (US Patent 5,410,644).

Regarding claim 3, see the teachings of Sakai et al. as discussed in claim 1 above. However, Sakai et al. do not disclose said first extended video clip is extended by freezing frame according to the last frame of said first video clip.

Thier et al. disclose a video special effect by freezing a frame according to the last frame of a video clip (column 15, lines 45-49 by considering a virtual video clip associated with the video segment including the frames before the frozen frame and having the froze frame as the last frame).

One of ordinary skill in the art at the time the invention was made would have been motivated to incorporate the frame freezing disclosed by Thier et al. into the method disclosed by Sakai et al. to implement a special effect, which would enhance the user interface of the method.

Regarding claim 4, see the teachings of Sakai et al. as discussed in claim 1 above. However, Sakai et al. do not disclose said second extended video clip is extended by freezing frame according to the first frame of said second video clip.

Thier et al. disclose a video special effect by freezing a frame according to first frame of a video clip (column 15, lines 45-49 by considering a video clip associated with the video segment including the froze frame as the first frame and the frames following the frozen frame).

One of ordinary skill in the art at the time the invention was made would have been motivated to incorporate the frame freezing disclosed by Thier et al. into the method disclosed by Sakai et al. to implement a special effect, which would enhance the user interface of the method.

Claim 13 is rejected for the same reason as discussed in claim 3 above.

Claim 14 is rejected for the same reason as discussed in claim 4 above.

Claims 5, 6, and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sakai et al. (US 2003/0012550) as applied to claims 1-2 and 11-12 above, and further in view of Windle (US Patent 6,686,970).

Regarding claim 5, see the teachings of Sakai et al. as discussed in claim 1 above. Further, Sakai et al. also disclose said first extended video clip is generated according to the portion of said second clip within said overlap (Fig. 4). However, Sakai et al. do not disclose said first extended video clip is extended by duplicating video continuous frames.

Windle discloses a special effect by extending a video clip by duplicating video continuous frames (column 10, lines 57-63).

One of ordinary skill in the art at the time the invention was made would have been motivated to incorporate the duplicating of video continuous frames disclosed by Windle into the method disclosed by Sakai et al., to extend the first extended video clip to, according to Windle, effect a smooth synchronized transition (column 10, lines 57-63).

Regarding claim 6, see the teachings of Sakai et al. as discussed in claim 1 above. Further, Sakai et al. also disclose said second extended video clip is generated according to the portion of said first clip within said overlap (Fig. 4). However, Sakai et al. do not disclose said second extended video clip is extended by duplicating video continuous frames.

Windle discloses a special effect by extending a video clip by duplicating video continuous frames (column 10, lines 57-63).

One of ordinary skill in the art at the time the invention was made would have been motivated to incorporate the duplicating of video continuous frames disclosed by Windle into the method disclosed by Sakai et al., to extend the second extended video clip to, according to Windle, effect a smooth synchronized transition (column 10, lines 57-63).

Claim 15 is rejected for the same reason as discussed in claim 5 above.

Claims 7 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sakai et al. (US 2003/0012550) as applied to claims 1-2 and 11-12 above, and further in view of Peters et al. (US Patent 5,440,348).

Regarding claim 7, see the teachings of Sakai et al. as discussed in claim 1 above. However, Sakai et al. do not disclose the best size of said first extended video clip and said second extended video clip are respectively half of said effect duration.

Peters et al. disclose an effect transition by centerpoint, in which the best size of a first extended video clip and a second extended video clip in an effect transition are respectively half of said effect duration (column 1, lines 40-45).

One of ordinary skill in the art at the time the invention was made would have been motivated to incorporate the transition by its centerpoint disclosed by Peters et al. into the method disclosed by Sakai et al. as a choice of implementation for a special effect.

Claim 20 is rejected for the same reason as discussed in claim 7 above.

Claims 8-9 and 16-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sakai et al. (US 2003/0012550) as applied to claims 1-2 and 11-

12 above, and further in view of Windle (US Patent 6,686,970) and Barton et al. (US Patent 6,233,389).

Regarding claim 8, see the teachings of Sakai et al. as discussed in claim 1 above. Further, Sakai et al. also disclose said first extended video clip is generated according to the portion of said second clip within said overlap (Fig. 4). However, Sakai et al. do not disclose said first extended video clip is extended by reversing and duplicating video continuous frames and said first extended video clip is generated according to the reverse of the portion of said first video clip within said overlap.

Windle discloses a special effect by extending a video clip by duplicating video continuous frames (column 10, lines 57-63).

One of ordinary skill in the art at the time the invention was made would have been motivated to incorporate the duplicating of video continuous frames disclosed by Windle into the method disclosed by Sakai et al., to extend the first extended video clip to, according to Windle, effect a smooth synchronized transition (column 10, lines 57-63).

However, the proposed combination of Sakai et al. and Windle does not disclose reversing the frames.

Barton et al. disclose a special effect of reversing the frames (column 6, lines 40-43).

One of ordinary skill in the art at the time the invention was made would have been motivated to incorporate the reversing of frames disclosed by Barton et al. into the

method disclosed by Sakai et al. and Windle to implement the special effect of reversing and duplicating video continuous frames as a choice of implementation.

Regarding claim 9, see the teachings of Sakai et al. as discussed in claim 1 above. Further, Sakai et al. also disclose said second extended video clip is generated according to the portion of said first clip within said overlap (Fig. 4). However, Sakai et al. do not disclose said second extended video clip is extended by reversing and duplicating video continuous frames and said second extended video clip is generated according to the reverse of the portion of said second video clip within said overlap.

Windle discloses a special effect by extending a video clip by duplicating video continuous frames (column 10, lines 57-63).

One of ordinary skill in the art at the time the invention was made would have been motivated to incorporate the duplicating of video continuous frames disclosed by Windle into the method disclosed by Sakai et al., to extend the second extended video clip to, according to Windle, effect a smooth synchronized transition (column 10, lines 57-63).

However, the proposed combination of Sakai et al. and Windle does not disclose reversing the frames.

Barton et al. disclose a special effect of reversing the frames (column 6, lines 40-43).

One of ordinary skill in the art at the time the invention was made would have been motivated to incorporate the reversing of frames disclosed by Barton et al. into the

method disclosed by Sakai et al. and Windle to implement the special effect of reversing and duplicating video continuous frames as a choice of implementation.

Claim 16 is rejected for the same reason as discussed in claim 8 above.

Claim 17 is rejected for the same reason as discussed in claim 9 above.

Claims 10 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sakai et al. (US 2003/0012550) as applied to claims 1-2 and 11-12 above, and further in view of Chen et al. (US Patent 6,600,869).

Regarding claim 10, see the teachings of Sakai et al. as discussed in claim 1 above. Further, Sakai et al. also disclose said first video clip and said second video clip are produced by fading in and fading out ([0049]). However, Sakai et al. do not disclose said first extended video clip and said second extended video clip are separately produced by fading in and fading out a default color.

Chen et al. disclose a video clip is extended by fading in and fading out a default color (column 5, lines 7-11).

One of ordinary skill in the art at the time the invention was made would have been motivated to incorporate the fading in and fading out a default color disclosed by Chen et al. into the method disclosed by Sakai et al. to implement a special effect of fading in and fading out a default color as a choice of implementation.

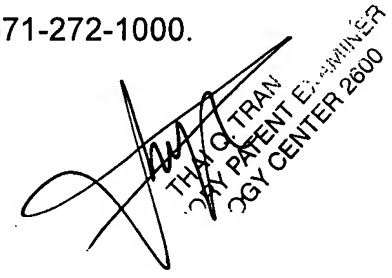
Claim 19 is rejected for the same reason as discussed in claim 10 above.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hung Q. Dang whose telephone number is 571-270-1116. The examiner can normally be reached on M-Th:7:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thai Tran can be reached on 571-272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Hung Dang
Patent Examiner